



# Kirkland loses bid to subpoena other law firms in bias lawsuit

By David Thomas

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Signage is seen outside of the law firm Kirkland & Ellis LLP in Washington, D.C., U.S., August 30, 2020. REUTERS/Andrew Kelly [Purchase Licensing Rights](#)

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Feb 20 (Reuters) - U.S. law firm Kirkland & Ellis cannot subpoena two other major law firms to obtain employment records of a former associate who sued the Chicago-founded firm for sex discrimination, a federal judge in San Francisco [has ruled](#).

U.S. Magistrate Judge Thomas Hixson on Friday quashed subpoenas directed at Fish & Richardson and Paul Hastings, which both employed plaintiff Zoya Kovalenko before she was hired at Kirkland.

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A spokesperson for Kirkland did not immediately respond to a request for comment.

Tanvir Rahman, a lawyer representing Kovalenko, praised the decision, saying it could deter other employers from using "inappropriate, heavy-handed discovery tactics meant only to harass and annoy and deter other victims of discrimination from coming forward with their stories."

Kovalenko sued Kirkland and a group of current and former partners in October 2022, claiming the firm favored her male counterparts and fired her after 10 months because she complained about her treatment. Kirkland said Kovalenko's claims are "entirely without merit."

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Kirkland's subpoenas -- which sought materials ranging from offer letters to garnishment notices to Kovalenko's medical records and past complaints she may have filed -- are too premature in a case that has had very little discovery, with no depositions being taken, Hixson found.

Hixson said Kirkland's bid to obtain her personnel files from Fish and Paul Hastings was "invasive" and "not directly relevant to this case."

"Why does K&E need to know if Kovalenko's wages were garnished at Paul Hastings? How is it relevant if she transferred work locations when she was at Fish?" Hixson said. "To link these requests to anything relevant requires a great deal of imagination."

Hixson held open the possibility that some of the records could be relevant and may be subpoenaed in the future. But Kirkland needs to show it tried to obtain the information from Kovalenko first, Hixson said.

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The case is Zoya Kovalenko v. Kirkland & Ellis LLP, et al., U.S. District Court for the Northern District of California, 4:22-cv-05990.

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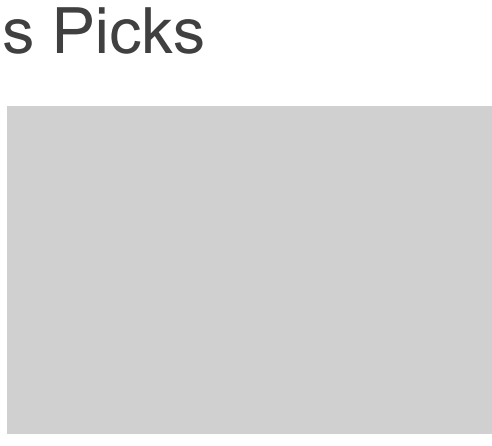


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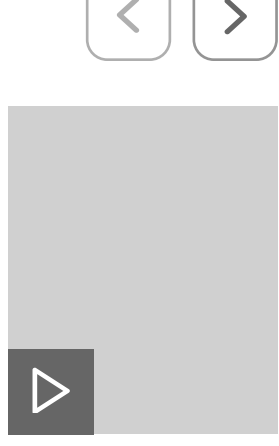
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